Kapsch TrafficCom

kapsch
challenging limits

September 4, 2024

Chairman Jessica Rosenworcel
Commissioner Brendan Carr
Commissioner Geoffrey Starks
Commissioner Nathan Simington
Commissioner Anna Gomez
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: Wireless Telecommunications Bureau and Office of Engineering and Technology Seek Comment on NextNav Petition for Rulemaking – WT Docket No. WT Docket No. 24-240; 11989 ("Petition")

Dear Chairman and Commissioners:

Kapsch TrafficCom opposes the referenced petition based on our knowledge of critical market indications. The Petition has the potential to disrupt the Kapsch TrafficCom tolling business segment and the business of all the customers of Kapsch TrafficCom, which use the same 902MHz – 928MHz spectrum the Petitioner wishes to change to suit its business needs, as described further herein.

Introduction

Kapsch TrafficCom is one of the world's most highly regarded intelligent transportation systems providers. Kapsch TrafficCom develops, installs, and maintains tolling, traffic management, smart urban mobility, traffic safety and security, and connected vehicles technology and solutions. As a one-stop solutions provider, Kapsch TrafficCom offers end-to-end services, from components and design to the implementation and operation of systems. Kapsch TrafficCom mobility technology helps make road traffic safer and more reliable, efficient, and comfortable in urban areas and on highways alike, while helping to reduce pollution and congestion.

Related to tolling, the Kapsch TrafficCom products and solutions cover the entire spectrum of toll collection services – from multi-lane free flow tolling on roads and highways, to traditional toll booths and dynamically price managed lanes. Kapsch TrafficCom provides the entire infrastructure required, from the roadside reader to the central back-office system. Our toll customers are primarily state, local, and regional agencies, along with several major independent authorities located throughout North America and include the E-ZPass Group (also known in the industry as "IAG"), members of the International Bridges, Tunnel and Turnpike Association ("IBTTA"), members of 6CTOC, the PrePass Safety Alliance, and members of the RAIN Alliance.

As of today, Kapsch TrafficCom has delivered over 120 *million* non-Multi-Lateration Location and Monitoring Service (non-M-LMS) transponders to our customers in North America with industry estimates of 55-65 million of these toll transponders currently deployed and in active use in cars, trucks and all other types of vehicles. Additionally, over 4,000 transportation lane miles are covered by Kapsch tolling readers and lane-side equipment.

Opposition

Kapsch TrafficCom has serious reservations and concerns regarding the Petition and understands and shares the concerns of its customers and representing organizations, as mentioned above. Kapsch TrafficCom has been actively assessing the Petition and public notice and its impact to existing toll and commercial vehicle operations (CVO) systems, as well as the motoring public, should the FCC change these rules. Kapsch TrafficCom, in conjunction with the leading toll authorities, has met with NextNav to educate NextNav staff on the use of non-M-LMS spectrum in toll infrastructure and components, road vehicle systems, and related operational characteristics.

Kapsch notes these key technical aspects to the Petition, which are primarily concerning:

- Requiring all toll, CVO, and related users and equipment suppliers of the non-M-LMS portion of the spectrum to change the frequencies that they use, requiring new licenses and recertification of all roadside systems and equipment.
- Potentially requiring millions of toll transponders deployed in the public's vehicles to be recalled and replaced with updated higher cost transponders.
- Reducing the available spectrum for toll, CVO and related systems from 14 MHz to 11 MHz. This represents at least a 20% reduction in the portions of the spectrum currently in use by these operations, limiting the ability to tolerate interference.
- Changing the nature of the part of the 902-928 MHz radiolocation band to commercial broadband communications with much higher power levels, adjacent to the non-M-LMS spectrum and handsets in the same vehicles as the transponders and limiting future expansion of non-M-LMS systems.

Our discussions with NextNav have not resulted in clear analysis, or answers to key questions that Kapsch TrafficCom and its many partners in industry have with the Petition, and we require this information to support our public agency customers and the public. These include properly identifying the interference risks, identifying interference testing procedures, potential compensation for physically modifying and testing every toll lane and transponder in use today, and disrupting factors for any future toll solutions. Additionally, Kapsch agrees the answers to the questions posed by the FCC in the petition to NextNav need to be fully addressed in a public forum.

Closing

Toll and related transponder-based solutions for roadways are providing tangible and valuable benefits to the transportation agencies, industries, and the motoring public. Toll solutions provide a practical solution to the Highway Trust Fund deficit and provide a valuable solution to our nation's transportation needs. Toll solutions also improve safety, reduce congestion and negative environmental impacts, and supplement agency revenue for roadway improvements. Truck bypass services save the trucking industry and state agencies time and money, as well as minimizing the impacts to the environment, by screening compliant carriers using these transponder-based solutions.

We oppose a disruption in these services and to our nation's mobility without further investigation, technical information, transparency, and verifiable commitments by the petitioner.

Respectfully,

JB Kendrick
President, Kapsch TrafficCom USA, Inc.